

REMARKS

An Office Action was mailed on November 6, 2002. Claims 1 - 32 are currently pending in the application. Applicants cancel claims 1 – 32 without prejudice or disclaimer, and re-present claims 8, 9, 14, 19, 22 and 27 respectively as independent claims 33 - 38. No new matter is introduced.

OBJECTED CLAIMS, REJECTION UNDER 35 U.S.C. § 112

Claims 5, 11, 21, 22, 25 – 28 and 30 – 32 are rejected under the second paragraph of 35 U.S.C. § 112 for failing to particularly point out and distinctly claim the subject matter that Applicants' regard as their invention. Applicants cancel claims 5, 11, 21, 22, 25 – 28 and 30 – 32 without prejudice or disclaimer, reserving their full right to file divisional applications including one or more of these canceled claims at a future time. Applicants re-present claims 8 and 9 as independent claims 33 and 34 (including the limitations of claim 5). Applicants also re-present claim 14 as independent claim 35 (including the limitations of claim 11), re-present claim 22 as independent claim 37 (including the limitations of claim 21), and re-present claim 27 as independent claim 38 (including the limitations of claims 25 and 27).

Applicants thank the Examiner for indicating that claims 8, 9, 14, 19, 22 and 27 are objected to as each being dependent on rejected base claim, but that each would be allowable if rewritten in independent form including all of the limitations of base claim and any intervening claims, and in the case of claims 8, 9, 14, 22 and 27, if intervening claims rejected under the second paragraph of 35 U.S.C. § 112 (claims 5, 11, 21 and 25) are amended to overcome these rejections.

Applicants amend portions of the re-presented claims deriving from claims 5 and 11 to recite "a timing signal generating unit for generating said timing signal synchronized with said transmission system which interfaces said central office and said remote terminal" (emphasis added). Applicants amend portions of the re-presented claims deriving from claims 21 and 25 to

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eliminate use of the term "i.e.". Accordingly, Applicants respectfully submit that re-presented claims 33 - 38 are currently allowable, and request that the objection be withdrawn.

REJECTION UNDER 35 U.S.C. §§ 102, 03


Claims 1, 3 and 23 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,374,147 to Awata et al. Claims 1, 2, 4 - 7, 10 - 13, 15, 23 - 26, and 28 - 32 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,991,311 to Long et al. Claims 16 - 18, 20 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Long in view of U.S. Patent No. 6,307,889 to Chun. Applicants cancel claims 1 - 7, 10 - 13, 15 - 18, 21, 23 - 26 and 28 - 32 without prejudice or disclaimer, reserving their full right to file divisional applications including one or more of these canceled claims at a future time.

CONCLUSION

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 33 - 38 are in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,



Thomas J. Bean
Reg. No. 44,528

CUSTOMER NUMBER 026304

Katten Muchin Zavis Rosenman
575 Madison Avenue
New York, NY 10022-2585
(212) 940-8729
Docket No: FUJA 16.497 (100794-11306)

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